

## **REMARKS**

In the Office Action, the Examiner rejected claims 32, 52 and 75-77 under 35 USC 102.

Claims 1, 34-36, 38, 41, 43, 48, 51 and 53-55 have been amended. Claims 32, 52, 75 and 77 have been cancelled. Thus, claims 1, 3-31, 34-51, 53-74 and 76 are pending in the application. Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner (see “Allowable Subject Matter” below).

### ***Objection***

Claim 1 has been amended in accordance with the Examiner’s suggestion.

### ***Claim Rejections – 35 USC 102***

**Claims 32, 52 and 75-77 have been rejected under 35 U.S.C. 102(e) as being anticipated by *An et al* (6,494,593).**

It is believed that the rejections are moot. Claims 32, 52, 75 and 77 have been cancelled and claim 76 depends from allowed independent claim 66.

Although claims 32, 52, 75 and 77 have been canceled, it should be emphasized that this was done to expedite the prosecution of the case. It is still believed that the outstanding rejections are unsupported by the art and should be withdrawn. For example:

In contrast to *An*, claim 32 (and its dependents) specifically requires, “...the light source being dedicated to illuminating the light passing wall...” In *An*, the light emitting part 21 is not dedicated to illuminating the logo 800, but rather to providing illumination to the LCD unit 30. The light used for the logo 800 is secondary light. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Also in contrast to *An*, claim 52 (and its dependents), specifically requires, “...the light arrangement being configured to illuminate a substantial portion of the housing so as to

significantly alter the ornamental appearance of the housing.” By substantial and significant, it is meant that the area of illumination is larger enough to effect the overall appearance of the device. That is, the illumination constitutes a significant % area of the entire housing. The mark or logo 800 disclosed in *An* is simply too small. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Also in contrast to *An*, claim 75 (and its dependents) specifically requires, “...a user controlled light source disposed inside the housing and capable of coloring or patternizing the surface of the housing in order to effect the ornamental appearance of the electronic device.” In *An*, the light does not change, nor is it controllable. In fact, it appears to rely on the constant output from the light emitting part 21 of the LCD unit 30. Furthermore, it does not colorize or patternize the case 200. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Also in contrast to *An*, claim 77 specifically requires, “The chameleonic electronic device comprising: a housing configured to form a protective external covering for the chameleonic electronic device, and capable of providing luminance; and a control means for adjusting the luminance of the housing.” No such device is disclosed in *An*. Accordingly, the rejection is unsupported by the art and should be withdrawn.

It should be noted that the Applicant reserves the right to pursue claims 32, 52, 75 and 77 in a continuing application.

#### ***Allowable Subject Matter***

Claims 1-31 and 56-74 have been allowed.

Claims 34, 35, 36, 38, 41, 43, 48, 51, and 53-55 have been amended to place them in a condition for allowance. Each of these claims now includes the limitations from the independent claim from which they depend, any intervening claims and the allowed dependent claim. Allowed dependent claims 34, 35, 36, 38, 41, 43, 48 and 51, each have been amended to include the limitations from independent claim 32. Allowed claims 53-55, each have been amended to include the limitations from independent claim 52. No new matter has been introduced by these amendments. Claims 34, 35, 36, 38, 41, 43, 48, 51 and 53-55 (as well as their dependents) are

therefore allowable as the Examiner indicated allowable subject matter in the outstanding Office Action.

**SUMMARY**

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read 'Q. Hoellwarth', with a long horizontal flourish extending to the right.

Quin C. Hoellwarth  
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